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Vanclay, Frank; Hanna, Philippe

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## Article

# Conceptualizing Company Response to Community Protest: Principles to Achieve a Social License to Operate

Frank Vanclay \*  and Philippe Hanna

Urban and Regional Studies Institute, Faculty of Spatial Sciences, University of Groningen, 9700 Groningen, The Netherlands; philippe.hanna@yahoo.com.br

\* Correspondence: frank.vanclay@rug.nl

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**Abstract:** To gain a social license to operate and grow, companies should have effective community engagement activities, social impact assessment processes, environmental and social impact management procedures, and human rights-compatible grievance redress mechanisms in place. In this way, environmental impacts and social impacts would likely be identified and addressed before issues escalate and social risk amplifies. Companies also need to treat communities with respect and be mindful of local culture. Where these things are not done, there will be no social license to operate. Protests are mechanisms by which affected communities express their concerns and signal there is no social license. As argued in our previous work on conceptualizing social protests, protests are warning signs, as well as opportunities for companies to improve. Rather than let protest actions escalate, leading to violent confrontation and considerable cost and harm, companies should engage in meaningful dialogue with protesters. Unfortunately, company response is often inadequate or inappropriate. In this paper, we identify around 175 actions companies might take in relation to community protest, and we discuss how these actions variously have the potential to escalate or de-escalate conflict, depending on whether the company engages in appropriate and genuine interaction with protesters or if repressive measures are used. While effective engagement will likely de-escalate conflict, ignoring or repressing protests tends to provoke stronger reactions from groups seeking to have their concerns heard. When companies address community concerns early, their social license to operate is enhanced. We also outline the primary international standards companies are expected to comply with, and we identify the key environmental, social, and governance issues (ESG principles) that should be respected.

**Keywords:** social licence to operate; social performance; social impact assessment; community engagement; social protest; corporate social responsibility; conflict management; corporate counterinsurgency; environmental and social management; shared value

## 1. Introduction

When companies or their projects do not have a social license to operate and/or engage in actions their host communities do not approve of, these communities can react in a wide variety of ways, including passive and active actions against the project and/or company [1,2]. These protest actions can have severe deleterious consequences for the company and project, and for the community itself. Companies react to these community protest actions, sometimes in considered and measured ways, but often in ill-considered ways. How they act or react can escalate or de-escalate the situation. Rather than referring to the United States Army Marine Corps Counterinsurgency Field Manual [3] after a crisis situation has arisen, as has been suggested (whether as a joke or not) [4], companies should

proactively undertake actions to address the issues of concern and reduce the likelihood of protest. In this paper, we examine the wide range of reactive and proactive actions companies might take in relation to community protest, and we reflect on how these actions might affect the level of conflict with their host communities and the company's and project's social license to operate.

Companies need to consider their actions and reactions carefully. If company reaction leads to escalation, this increases the amount of community protest and/or changes the type of protest action, which could lead to harmful outcomes to the company and community. Furthermore, communities and individuals have rights, and should companies use repressive actions, companies run the risk of violating the rights of local people, which could lead to reputational harm and legal action against the company well into the future [5–7]. The many legal actions the oil company, Shell, has had to face because of its actions (and inaction) in Nigeria in the 1990s is proof of this [8]. The negative publicity surrounding conflict can be harmful to the company's reputation and social license to operate [9–13]. The consequences of conflict can be severe for communities, as well as companies [14], as we describe below. This is especially the case for Indigenous groups, because of the strong attachment they have to their land and their dependence on local resources [15,16].

This paper was developed over several years by systematically reflecting on a wide variety of sources and projects. To some extent, it is a companion paper to our earlier paper that considered the various forms of community protest [1]. In both cases, we undertook an extensive review of relevant academic and practitioner literature, and we monitored a range of company-community conflicts and NGO campaigns. For this paper, we specifically considered the corporate responses to protest actions. Although our analysis is applicable to a wide range of sectors, it has primarily been based on examples from the extractive industries, partly because this is where our interests mostly lie and partly because this is where much conflict has occurred [17–19]. The authors, together with some close acquaintances working in the social performance space, undertook a collective brainstorming process over three years, with several dedicated sessions in which we harnessed our professional experiences and knowledge of particular projects and instances of company-community conflict. We also discussed the issues in this paper at various fora (e.g., seminars and conferences around the globe) and with our close professional contacts, progressively updating it on the basis of the comments received.

## 2. The Standards to Which Companies Are Expected to Comply

Companies need to comply with the laws of the countries in which they operate. They also need to comply with the fiduciary requirements of the countries where they are registered. However, civil society stakeholders expect much more than this, and companies will need to do more than just observe minimum legal standards if they are to gain and maintain a social license to operate and grow from their many stakeholder groups [20]. A wide range of organizations has developed standards they expect will (or at least should) be observed, including international organizations, industry organizations, professional associations, and NGOs. Since these standards were mostly developed through stakeholder consultation, including with NGOs, collectively if not individually, these standards can be used to establish the generic expectations of company practice. Given that these standards are outlined in many places, here we only provide a brief description of the key standards. Note that, in addition to the standards listed below, there are many industry-specific standards that also need to be observed in each sector.

Perhaps the most important and overarching of all international standards is the OECD Guidelines for Multinational Enterprises (original version 1976, current version 2011) [21]. This provides recommendations agreed to by its signature countries on the responsible business conduct expected of companies. It addresses topics such as employment and industrial relations, human rights, environment, information disclosure, combating bribery, consumer interests, science and technology, competition, and taxation. In 2018, the Organisation for Economic Co-operation and Development (OECD) published an implementation guideline, the OECD Due Diligence Guidance for Responsible Business Conduct [22], which provides practical support about how to implement the OECD guidelines, primarily by reference to a process of

due diligence. This due diligence process contains six steps: (i) embed responsible business conduct into policies and management systems; (ii) identify and assess actual and potential adverse impacts associated with the enterprise's operations, products, or services; (iii) cease, prevent, and mitigate adverse impacts; (iv) track implementation and results; (v) communicate how impacts are addressed; and (vi) provide for or cooperate in remediation when appropriate.

The OECD Guidelines for Multinational Enterprises was modified in 2011 to align with the United Nations Guiding Principles on Business and Human Rights (UNGP) [23]. Therefore, compliance with the OECD Guidelines should result in compliance with the UNGP. However, given the high standing of the UNGP and the extent of stakeholder interest in the UNGP, companies would be well advised to make specific reference to the UNGP in their policies, procedures, and reporting.

The UNGP and its interpretive guide [24] (and the OECD Guidelines) seek to prevent and address the risks of adverse impacts on human rights that are linked to business activity. The UNGP provides the internationally-accepted framework regarding business and human rights. In Principle 12, the UNGP establishes that the internationally-recognized human rights are, at a minimum, those human rights expressed in the International Bill of Human Rights, which comprises the Universal Declaration of Human Rights [25], the International Covenant on Civil and Political Rights [26], and the International Covenant on Economic, Social and Cultural Rights [27], as well as in the International Labour Organization's Declaration on Fundamental Principles and Rights at Work [28]. There has been much discussion about how companies can actually address their human rights issues [5,6,29], with many sectoral guidance documents on human rights now published [30,31].

The Global Compact (<https://www.unglobalcompact.org>) was launched in 2000. It is a voluntary initiative based on company CEO commitments to respect what it regards as the universal sustainability principles, addressing human rights, labor, the environment, and corruption. It also promotes action towards achieving the Sustainable Development Goals. Pre-dating the UNGP, the ten principles of the Global Compact were derived from the Universal Declaration of Human Rights, the International Labour Organization's Declaration on Fundamental Principles and Rights at Work, the Rio Declaration on Environment and Development, and the United Nations Convention Against Corruption. It is aligned with the OECD Guidelines for Multinational Enterprises and the other standards mentioned here. It is significant because of the extent of support it has received, with over 13,000 signatories (<https://www.unglobalcompact.org/what-is-gc/participants>).

Another industry initiative is the Principles for Responsible Investment (PRI) (<https://www.unpri.org/>). Responsible investment is defined as "an approach to investing that aims to incorporate environmental, social and governance (ESG) factors into investment decisions, to better manage risk and generate sustainable, long-term returns". Signatories pledge to uphold six principles and embed ESG considerations into their investment activities. Although fiduciary duty tends to be understood in a very limited way in the financial sector [32], the PRI confronts these traditional notions of fiduciary duty by arguing that proper consideration of ESG issues improves long-term investment returns. The affirmation that signatories sign states: "As institutional investors, we have a duty to act in the best long-term interests of our beneficiaries. In this fiduciary role, we believe that environmental, social, and corporate governance (ESG) issues can affect the performance of investment portfolios (to varying degrees across companies, sectors, regions, asset classes and through time). We also recognise that applying these Principles may better align investors with broader objectives of society."

The international financial institutions—notably the World Bank, the International Finance Corporation (IFC), and the larger multilateral and bilateral development banks and export credit agencies—each have guidelines and handbooks outlining what they expect from their public and private sector clients. Compliance with their standards is generally a condition of their loans, and penalties are applied for non-compliance. The IFC is the private sector lending arm of the World Bank. It requires its clients to observe its Performance Standards [33], which are supported by Guidance Notes [34]. Although the World Bank has a long history of safeguard policies, it recently implemented a new Environmental and Social Framework (ESF) [35], which is largely similar to the IFC Performance

Standards on which it was modelled [36]. Although understated, respect for human rights is implicit in the ESF. Environmental and Social Impact Assessments are key components of how environmental and social performance is expected to be conducted.

The Equator Principles (<https://equator-principles.com/>) is a sustainability framework for the finance industry. Originally implemented in 2003, Version III was endorsed in 2013, and the next revision is currently being discussed. As of 2019, over 90 banks from 37 countries had signed up. The Equator Principles is billed as a risk management framework to determine, assess, and manage environmental and social risks [37]. It comprises 10 so-called principles (although these would be better called steps) and specifies an implementation mechanism. The ten principles are: (i) review and categorization; (ii) environmental and social assessment; (iii) applicable environmental and social standards; (iv) environmental and social management system and Equator Principles Action Plan; (v) stakeholder engagement; (vi) grievance mechanism; (vii) independent review; (viii) covenants; (ix) independent monitoring and reporting; and (x) reporting and transparency. The Equator Principles governing body allocates the countries of the world as being either “designated” or “non-designated” countries. For projects located in non-designated countries, the assessment process evaluates compliance using the IFC Performance Standards on Environmental and Social Sustainability and the World Bank Group Environmental, Health and Safety Guidelines [37], whereas for designated countries, the Equator Principles assessment process only requires compliance with host country laws, since these are deemed to meet acceptable standards. A list of designated countries is given on the Equator Principles website, but there is not full clarity about how this list is actually determined.

Given the convergence in international requirements [38,39], the IFC Performance Standards can be regarded as typical of the general approach taken by international financial institutions. The IFC Performance Standards have been widely accepted by industry and NGOs as being the “gold standard” (i.e., the definitive benchmark) for social and environmental performance [39,40], although sometimes together with the Equator Principles [41]. Their leading status is partly established by the fact that the Equator Principles has adopted them, but also by their being the default standard of most environmental consulting firms and some leading companies [39]. Another overarching statement drawing together the principles common to most international declarations is the 2017 ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy of the International Labour Organization [42].

The Global Reporting Initiative (GRI) (<https://www.globalreporting.org>) is an independent organization that sets the standard for sustainability reporting. By improving sustainability reporting practice, especially regarding the veracity of claims and avoiding greenwashing [43], the GRI assists companies not only to communicate, but also to understand and better manage their impacts on local communities in relation to ESG and sustainability issues. Although its focus is on reporting, it is consistent with the other standards and advocates for compliance with them.

A recent development is the non-financial reporting requirements of the European Union, which came into effect in 2018. Directive 2014/95/EU of the European Parliament [44] applies to companies with more than 500 employees. It requires companies to disclose information about how they operate and manage ESG issues, including matters such as: environmental protection; social responsibility and treatment of employees; respect for human rights; anti-corruption and bribery; and diversity on company boards (in terms of age, gender, educational and professional background). In 2017, the European Commission published a guidance document to assist [45].

Some jurisdictions around the world, notably to date the United Kingdom, California, and Australia, have introduced legislation regarding modern slavery. This will continue to increase pressure on companies to be mindful of this issue and to implement policies and procedures to address it and to report on their practices in this regard. Modern slavery is a broad concept that includes trafficking, sex trafficking, domestic servitude, debt-bondage, exploitative work practices, forced labor, and many other practices [46–48].

What most of these standards have in common is that businesses must consider human rights and other ESG issues throughout their whole supply chain. Principle 13 of the UNGP [23] states that



business enterprises must “seek to prevent or mitigate adverse human rights impacts that are directly linked to their operations, products or services by their business relationships, even if they have not contributed to those impacts”. Businesses are also expected to apply leverage to their business partners, including states, to ensure that they do not contribute to human rights harms. It is not acceptable for businesses to outsource their ESG risks and then claim they are not responsible for any issues that arise. Many companies are implementing “responsible sourcing” policies and procedures, and it is clear that there is stakeholder expectation that this be done.

Another common item is that these standards expect organizations to implement a grievance redress mechanism from the commencement of projects and that they be operated in good faith throughout the life of the project. Grievance redress mechanisms were given special attention in the UNGP [23] (p. 27), where a grievance is defined as “a perceived injustice evoking an individual’s or a group’s sense of entitlement, which may be based on law, contract, explicit or implicit promises, customary practice, or general notions of fairness of aggrieved communities”. Projects are expected to consider carefully how to implement mechanisms that are effective at encouraging aggrieved people to register their concerns. It is argued that having a human rights compatible grievance redress mechanism is likely to bring considerable benefits to companies and communities alike by stimulating better community engagement, facilitating the identification, monitoring, and redress of community concerns, encouraging companies to manage the process and find appropriate responses, identifying risks and solutions early, and thus facilitating early problem resolution and reducing the escalation of risk. For further information on grievance redress mechanisms, please refer to [23,49,50].

In 2015, the United Nations General Assembly adopted the 2030 Agenda for Sustainable Development [51] as a plan of action to be implemented globally and locally through partnerships to create better outcomes for people, planet, prosperity, and peace, as well as to fulfil through progressive realization the human rights of all people. The Agenda outlined 17 Sustainable Development Goals (SDGs) and 169 targets that are intended to be achieved by 2030. Business has a key role in contributing to these goals and the achievement of the targets [52]. More information on the SDGs is available: <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>

In addition to these generic standards, there are many industry-specific standards that have been developed. Some specific project activities have generated particular concerns about impacts on human rights. For example, many projects outsource security services to subcontractors or, sometimes, to local police forces. Because of the use of lethal weapons and violence, security is an area of particular ESG concern. In a collaborative initiative between governments, companies and NGOs involved in the extractive industries, the Voluntary Principles on Security and Human Rights (<https://www.voluntaryprinciples.org/>) were developed to minimize the risk of human rights abuses in security operations. Companies should be aware of these voluntary principles and consider them in how they conduct their security practices.

The land acquisition needed for projects to proceed also tends to be an activity with considerable potential to create human rights risks and social impacts, especially when expropriation is used [5,6,29,39]. Noting that forced eviction is a gross violation of human rights, two key international documents have been produced to guide companies involved in displacement and resettlement: a United Nations Factsheet on Forced Evictions [53] and the United Nations Basic Principles and Guidelines on Development-Based Evictions and Displacement [54].

The expectations of communities about companies and their projects can be summed up by the concept of “social license to operate” [13,20]. Essentially, social license refers to the acceptance of a project by local and other key stakeholders, which normally requires that the project gain legal, social, and economic legitimacy. Gaining a strong social license to operate (in other words, positive approval) requires the project to gain credibility and ultimately the trust of local people. Although there are criticisms of the concept [55–63], we believe that it is a useful rhetorical device that has taken hold in industry settings. Some international organizations, like the IFC [64], expect that projects have “broad community support”.

### 3. Particular Issues Associated with Indigenous Peoples and Traditional Communities

The international standards generally require that special attention be given to certain groups of people. To be human rights compliant, it is generally expected that vulnerable groups be given special attention so that they can have equal access to their rights. The IFC PS1 [33] (p. 9) states that “Where the project involves specifically identified physical elements, aspects and facilities that are likely to generate impacts, and as part of the process of identifying risks and impacts, the client will identify individuals and groups that may be directly and differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status”. The footnote states that: “This disadvantaged or vulnerable status may stem from an individual’s or group’s race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status. The client should also consider factors such as gender, age, ethnicity, culture, literacy, sickness, physical or mental disability, poverty or economic disadvantage, and dependence on unique natural resources”.

Indigenous people are also generally considered as a special group deserving of special attention, and there is an IFC performance standard that specifically addresses Indigenous peoples (PS7). It is generally accepted that their strong attachment to the land makes Indigenous people particularly vulnerable to corporate activities that affect land. Other factors justifying their special attention include their unique features (culture, language) and their historically-subordinate status. Although “Indigenous peoples” is widely used as an all-inclusive, over-arching umbrella term, it is difficult to define and much contested [16,65]. Nevertheless, regardless of the term or precise definition used, in around 90 countries, there are groups of people who have an identity separate from the dominant society/culture in those countries and who typically have a strong attachment to the land. The United Nations estimates that there are over 370 million such individuals around the world, speaking over 4000 languages [66]. There is considerable diversity amongst these peoples in terms of language and culture and in fundamental beliefs, governance structures, cosmologies, ways of living, and livelihoods. Despite this diversity, Indigenous peoples are considered as generally having several (but not necessarily all) of the following characteristics [65] (p. 8):

- They identify themselves as Indigenous peoples and are, at the individual level, accepted as members by their community;
- They have historical continuity or association with a given region or part of a given region prior to colonization or annexation;
- They have strong links to territories and surrounding natural resources;
- They maintain, at least in part, distinct social, economic, and political systems;
- They maintain, at least in part, distinct languages, cultures, beliefs, and knowledge systems;
- They are resolved to maintain and further develop their identity and distinct social, economic, cultural, and political institutions as distinct peoples and communities;
- They form non-dominant sectors of society.

Two international documents establish the rights of Indigenous peoples: the United Nations Declaration on the Rights of Indigenous Peoples [67] and the International Labour Organization’s Indigenous and Tribal Peoples Convention 1989 (C169) [68]. Several organizations have produced guidance documents for business on these statements and/or Indigenous issues generally, including the Global Compact [69], International Council on Mining & Metals (ICMM) [70], and IPIECA [71].

An important concept in the Indigenous rights discourse is free, prior, and informed consent (FPIC). This concept is embedded in the United Nations Declaration on the Rights of Indigenous Peoples and the International Labour Organization Indigenous and Tribal Peoples Convention [15,72]. FPIC requires that, before any project that will affect Indigenous people proceeds, their free, prior, and informed consent must be obtained, where free means without intimidation, prior means in advance of the project and with enough time for the Indigenous people to consider the proposal, informed means that the project plans have been fully disclosed and the affected people are able to comprehend what the project will mean to them, and consent means that they have the ability to give

or withhold their approval of the project, with the intention that their decision will be respected [15]. Philosophically, FPIC is a highly appropriate concept that would contribute to a project gaining a social license to operate [73]. In practice, however, FPIC is complex to operationalize. A further issue is that, in addition to its philosophical dimension, FPIC has a semi-legal basis that is rather weak, ill-defined, and problematic in most countries. It is not the scope of this paper to elaborate on these issues since this has been done elsewhere [15,55,72,74]. It is clear that most Indigenous peoples and NGOs expect the right to FPIC to be respected [75] and that best practice demands that it be observed [76,77]. Several best practice guidelines for engaging with Indigenous communities are available [69,70,78–80].

The Aashukan Declaration [80] was the outcome of a 2017 gathering in Waskaganish in northern Quebec (Canada) of Indigenous representatives from around the world. The purpose of the event was to have a discussion around reconciling development with the protection of Indigenous culture and lands and to invite the impact assessment community to engage with Indigenous communities in respectful, mutual learning. The Declaration demanded that impact assessments, projects, and companies observe four principles:

1. Indigenous peoples' rights are the foundation upon which all discussions must be initiated. Following international best practices, this includes territorial rights, the right to self-determination, and the Indigenous right to say yes or no.
2. Relationships must have integrity and be based on humility, respect, reciprocity, community empowerment, sharing, mutual learning, and sustained and long-term engagement. Our timelines are based on our values, processes, and social organization and should be respected.
3. Processes must achieve clear communication, transparent decision-making, be inclusive, and be founded on the worldview of the Indigenous peoples that are impacted.
4. Outcomes must be multi-faceted and oriented towards mutual benefits, a commitment towards the prevention of harm, and the enhancement of the well-being of Indigenous peoples based on their own definitions and criteria.

#### 4. The Business Case for Respecting Community Rights

The rights of communities are frequently ignored by companies [29] and by regulatory environmental licensing processes [81], especially in contexts of rapid development. When the interests of companies clash with those of local communities, there is a tendency that the interests of the former prevail [82]. However, especially in the digital era, the lack of consideration of the rights of communities has consequences for companies and governments, including a wide variety of forms of protest by affected communities [1,2]. Where there is no social license to operate, there is a high probability of protest action, possibly leading to the disruption of construction or operations and associated financial losses for the company. Drawing on a range of sources [7,14,83–87], it is possible to identify the many negative consequences for companies from protest action and heightened conflict with communities including: damage to property (plant and equipment); lost production; loss of legal license; court action and associated costs to defend; imposition of fines by regulators; court-awarded compensation; harm to reputation; stock market reaction; reduced share value; lost access to new sites; additional conditionalities imposed; increased cost of insurance and finance; cost of staff time and board time in crisis management and in addressing the issues; opportunity costs associated from diverted attention; and reduced access to new markets and new ventures. In contrast, there are substantial benefits that result from better engagement with local communities in the form of: better planning; minimizing post-project costs; avoiding legal action; avoiding delays; reducing litigation risk; improving competitive advantage in tendering; enhancing reputation; and reducing vulnerability to regulatory change.

Engaging with communities early in project planning and not proceeding unless there is broad community support (FPIC in the case of Indigenous peoples) result in outcomes far superior to what would arise if social impacts were overlooked or if community demands to participate in decision-making were ignored. Where genuine engagement is not undertaken from the beginning, with goodwill and in a transparent manner, communities will likely protest to gain access to information



about the project and in an attempt to influence the decision-making processes that will affect their lives. From a community perspective, protest actions counter the power imbalances between proponents and impacted groups, and they arguably enable more equitable environmental licensing processes [81]. Mobilized communities tend to achieve better social impact assessments, mitigation measures, and/or compensation mechanisms. Protests are necessary to achieve respect for community rights, as well as to enhance community wellbeing and build social capital [1,2,81].

Despite the reluctance of many companies to go beyond compliance with the minimum legal requirements of local or national laws, fully respecting the established international framework on human rights and Indigenous rights is crucial to engage local communities successfully. Going beyond minimum compliance with the limited expectations of local law will generate positive outcomes for both companies and communities. Companies that observe FPIC, undertake Social Impact Assessments, meaningfully engage with local communities, and undertake worthwhile social investment activities are more likely to achieve a social license to operate, thus reducing costs associated with judicial litigations, the blockade of operations, reputational damage, or delays in licensing processes. By adopting good practices, companies can mitigate the “social risk” to their operations [88].

Traditional livelihoods can be very vulnerable to change, even to apparently minor impacts [89–91]. For example, a change to a Western diet, which usually accompanies the presence of new large projects in a region, can have grave consequences for Indigenous people’s health, wellbeing, and social capital, due to the reduction in traditional food-related practices and associated social events [92]. Social impacts that are not properly managed can create serious long-term consequences for communities, including impoverishment, landlessness, homelessness, joblessness, marginalization and alienation, food insecurity, reduced health and wellbeing, loss of access to common property resources, social disarticulation, and impacts on sense of place [86–97]. Such impacts are often difficult to mitigate after they have occurred and can create irreversible long-term impacts, especially for Indigenous communities, which can, in extreme cases, arguably lead to genocide or ethnocide (the destruction of a particular culture and its way of living) [98].

## 5. Company Actions in Response to Protest

Companies and governments that do not comply with international standards, fail to consider their social license to operate, and do not meaningfully engage with local communities in a transparent and culturally-appropriate manner are likely to be subject to a wide range of protest actions [1]. How a company responds to these protests is critical to what happens next. Escalation of conflict can lead to increasingly serious consequences for companies, governments, and communities. As discussed above, companies will face increased costs and other consequences. Communities may experience legal action taken against them, repressive actions from police and private security forces, violence in many forms, and in the worst case situations, assassination of community leaders and activists, with over 200 environmental defenders killed in most years [99]. There are consequences for governments as well, especially in the form of costs associated with policing conflict and restoring calm, the costs of participating in renegotiations, loss of tax and other revenues from blocked or delayed operations, a decline in foreign investment as investors may be scared away, and political risk in the form of loss of electoral confidence in the government. Sometimes, public infrastructure is destroyed in protest actions and must be replaced or repaired.

In a similar way to how we identified the forms of community protest [1], it is possible to list the potential forms of proactive and reactive company action in relation to avoiding or responding to community protest. Depending on how the company and protesters react to each other, these actions may lead to the escalation or de-escalation of conflict, and potentially to the initiation of partnerships between companies and local communities. When facing community protest (whether incipient or advanced), companies can choose from a wide range of actions. Failure to consider a response strategy carefully may result in no action or in ill-considered actions. If protests are ignored, this tends to provoke stronger forms of protest from communities, who seek to have their voices heard and concerns

addressed. It is thus desirable for companies to acknowledge that they have heard community concerns. Where concerns are strongly held, unless there is resolution, it is quite possible that the community will simply not allow the project to proceed.

Protest actions can be considered as the expression of grievances; therefore, protest is arguably a form of grievance mechanism, albeit inadequate, and protests should be addressed by companies as they would or should deal with other grievances. Ideally, companies should address community claims by engaging in meaningful dialogue with protesters. Negotiations conducted in a reasonable manner will lead to a de-escalation of conflict. However, companies can engage in a range of activities intended to repress the protesters. Where this occurs, because the underlying causes of protest (and/or fundamental issues) are not addressed, even if there is a short-term respite for the company, sooner or later, the social drama will again erupt in one or more forms of community protest, leading to further escalation and negative outcomes for all.

The possible forms of proactive and reactive action in relation to protest by companies are presented in Table 1 (likely to lead to de-escalation), Table 2 (likely to lead to escalation), and Table 3 (unclear outcome, as it will depend on how the action is perceived by the local community and whether the action was genuine or deceitful). We have developed these listings over several years, and they are likely to be reasonably complete; however, companies can be strategic actors that are creative and innovative, and consequently, new strategies are being developed all the time. Furthermore, this paper does not seek to present all possible forms of community engagement or social investment; consequently, many more actions are conceivable. Although we have primarily considered corporate actors (including state-owned companies), these actions potentially also apply to governments and government agencies. For each potential action/reaction, we have given a brief description. The descriptions are our own, although we have drawn on a range of sources to assist us in compiling these descriptions, including Wikipedia, online dictionaries, and the International SIA Guidance document [86].

**Table 1.** Company actions likely to lead to de-escalation of conflict.

Action	Description
Accreditation	See certification.
Adaptive management	Implement a company ethos and program of continuous improvement, monitoring, and adaptive management to rectify issues before they develop into bigger issues.
Adopt standards	Publicly announcing a company commitment to abide by an international or industry-based standard, such as the IFC Performance Standards, Equator Principles, GRI, Global Compact, or the United Nations Guiding Principles on Business and Human Rights [23].
Agreement making	See community development agreement.
Alternative dispute resolution	The use of methods to resolve conflict without resorting to litigation. Although it can be done by lawyers, it requires a different mindset and therefore tends to be done by neutral parties (also see mediation).
Alternative livelihood development	The process of assisting in the development of alternative livelihoods. Particularly where people are economically displaced by a project, assisting people to develop new livelihoods (also see economic diversification).
Apprenticeships	Establishment of an apprenticeship scheme to allow local people to develop the skills in order to get jobs with the project. This will lead to de-escalation in the long-run if proper labor conditions are observed, and it is perceived positively by local people.
Arbitration	See mediation.
Art	Various forms of support for art, including sponsoring cultural events and institutions (museums, art galleries, etc.), as well as support of local artists. Sometimes, the explicit use of art to create messages in support of the company or project.

Table 1. Cont.

Action	Description
Being genuine	See good faith actions.
Benefit sharing	A range of ways by which a project/company provides benefits to their host communities, including social investment and profit sharing.
Cancel or postpone the project	If opposition is strong and there is little hope of gaining a social license to operate, cancelling the project (or at least putting it on hold) may be the most appropriate thing a company should do. Companies do need to realize that some projects might actually be in the wrong place. In the face of protest, cancelling or postponing a project will lead to de-escalation of conflict between community and company, provided there are no legacy issues relating to earlier activities of the company.
Certification	The seeking of company certification/accreditation against an appropriate standard (e.g., ISO14001, Forest Stewardship Council) in an effort to improve a company's image and/or rectify inadequate practice (also see audit, due diligence assessment).
Citizen's jury	A deliberative technique where decision-making (perhaps about selecting the best alternative) is given to a small panel of lay people from the affected community. The jury is entrusted to deliberate on relevant issues on behalf of the project and community. Although a lay rather than expert panel, it is expected that the participants will learn about the relevant issues, ask questions from experts, and call for information as needed. Decisions made by citizen's juries are likely to have greater legitimacy in the local community than decisions made by experts. Citizen juries will lead to de-escalation if the people on the jury are acceptable to the community.
Commitments register	A community commitments register is a public record of all promises made by the company or project to the local community at all stages in project development. It records and tracks what was promised, when the promise was made, who made it, what was agreed in relation to fulfilling the promise, progress on fulfilling the promise, and the ultimate outcome.
Community activities	Participate in community activities, festivals, and events, not only as a sponsor, but by having a real presence in order to be seen as being part of the community.
Community consultative committee	Establish a community consultative committee (also known as a community liaison committee). These committees are representative forums that are empowered to make decisions about the project. These committees will lead to de-escalation provided that the representatives are acceptable to the community and their opinions are actually considered by the company.
Community development agreement	Negotiate an agreement with the local community in which the company agrees to provide a considerable amount of social investment to the community. An agreement will lead to de-escalation, if the agreement is fair and was developed in conjunction with the community.
Community development fund	Establish a social investment fund that is managed by an independent group of community members (also see benefit sharing).
Community engagement	Establish a plan and program of engaging with the local community. Similar to stakeholder engagement, this refers specifically to local communities (also see listening spaces, open houses).
Community liaison officer (community relations staff)	Appoint qualified and experienced staff who are good at building effective relationships with local communities and other stakeholders. If these staff are competent, and preferably if they are from the local community, this will lead to de-escalation.
Community visioning process	Visioning is a process of developing consensus around the future the community wants, and then deciding what is needed to achieve the shared vision. Companies/projects can assist their host communities in planning a vision and in showing how the project is consistent with their vision. Provided that the community does not feel manipulated by the process, this will lead to de-escalation.

Table 1. Cont.

Action	Description
Community-based impact assessments	Support (i.e., finance) the affected community so that they can undertake (or at least commission) their own environmental and social impact assessments in order to be fully informed about the project. In having the community undertake their own assessments, the legitimacy/credibility of the information is not disputed, which will build trust in the project.
Contracting strategy and ongoing management of suppliers	With companies expected to manage human rights issues throughout the whole supply chain, they need to ensure that all contractors and subcontractors observe ESG principles. This is done by having a contracting strategy and implementing ESG clauses in tender documents, contracts, and performance specifications (also see responsible sourcing).
Demonstrate real commitment to the community	Communities often feel, rightly or wrongly, that companies are not always fully committed. A social license to operate is only fully achieved when the affected communities trust that the company is really vested in the community (also see skin in the game).
Dialogue table	Establishing a stakeholder panel or community consultative committee (or other deliberative mechanism) with key stakeholders in order to reach a mutually-acceptable agreement (also see citizen's jury, negotiate).
Dismissal (and disciplining) (as a positive reaction)	The firing/sacking (or disciplining) of those staff responsible for the actions that created local social impacts or distress. If a company is serious about its community relations, respect for the community must be embedded throughout and enforced in all operations (compare with dismissal of staff as a negative reaction).
Economic diversification	This refers to strategies to assist local communities to become economically diverse and less dependent on the project. This minimizes the consequences of project slowdown or closure on local communities. It is also a way that the project interacts with local communities.
Establish a commission or taskforce	Publicly announcing the establishment of an external commission or internal working group of independent experts or neutral parties in order to address protester claims. This will be effective if the report is made public and the findings acted upon (also see hire consultant).
Fieldtrips	Take company staff and/or community members on site visits to other locations so that they can experience what happened in other contexts.
Form partnerships	Establishing a partnership with the government, local consultancy firms, NGOs, and/or affected communities in order to address the issues of concern.
Free, prior and informed consent	Commit to seeking free, prior and informed consent from all communities affected by the company projects or operations.
Good corporate citizen and/or good neighbor policies and actions	Good corporate citizen and good neighbor are forms of corporate social responsibility in which companies adopt policies and practices to reflect their commitment to local communities (in the case of good neighbor) or to ESG principles (in the case of good corporate citizen). Good neighbor programs tend to promote staff volunteerism in community organizations, as well as corporate philanthropy.
Good faith actions (acting in good faith)	"Acting in good faith" means being genuine, fair, open, and honest. As a corporate commitment or value, a company might attempt to ensure all its actions were done in good faith. While such a policy could be publicly announced, it is important for companies to realize that actions speak louder than words and that local communities will judge them on what they experience, not on what companies say they do.
Grievance redress mechanism	The implementation of effective mechanisms to receive, consider, and respond to the concerns of local people about a project. If acted upon, this will lead to de-escalation.

Table 1. Cont.

Action	Description
Health promotion activities	Community and workplace health promotion are key areas where company support is highly desirable. While not an appropriate response immediately following a protest, company/project participation in health promotion activities can do much to improve the wellbeing of local people and, when not done in draconian ways, demonstrate the company's interest in the community.
Hire local workforce	Creating employment opportunities for local people. It is important to have a proper local content hiring strategy and to provide opportunities for local people to be able to achieve higher management positions.
Human rights impact assessment	See due diligence assessment.
Impacts and benefits agreement	See community development agreement.
Independent experts	The use of leading persons, usually external to the community, who are known for their integrity, independence, and ability to adjudicate fairly between the company and local community or to advise on matters of key concern. If the experts are considered to be acceptable to the community, this will lead to de-escalation (also see hire consultants, neutral parties).
Industry response	A collective way of making a formal response or of saying sorry in relation to a particular issue that affects many companies in an industry or sector (also see participate in industry initiatives).
Justify	Provide adequate justification for all actions and arrangements. The decisions of companies (e.g., who is resettled and who is not and/or relating to compensation payments) often lead to disagreement and conflict within a community. It is very important that the company provides a clear rationale (justification) for its actions and decisions.
Knowing and showing	An expression made famous by John Ruggie, author of the United Nations Guiding Principles on Business and Human Rights. Ruggie argued that companies should be aware of (know) their human rights obligations and impacts and demonstrate (show) that they take addressing human rights issues seriously. The expression was positioned in contradistinction to the NGO protest strategy of "naming and shaming".
Lead by example	One way to assuage community concerns is for the company to lead by (personal) example. This could take many forms, but usually is about demonstrating that the company and its staff are in the same situation as the affected community. For example, company staff could live in the same type of housing as that provided to resettled people; they should drink the same water as the community; or the company offices could be located close to the high voltage powerlines, or whatever was this issue of concern (also see demonstrate real commitment, skin in the game).
Listening spaces	A type of community engagement technique in which a venue is provided as a safe place for local people to provide their honest feedback about how they feel about a particular issue (also see grievance redress mechanism).
Local content (or local employment)	Local content refers to the requirement, expectation, or commitment of a company to ensure that value is retained locally through employment (ensuring jobs for local people) and/or by local procurement. Simplistically, it is the percentage of project spending spent on employment of local people or on local goods and services, where local is defined as national. At a more sophisticated level, local content is a philosophy of ensuring local benefits by having a carefully developed local content strategy. Ideally, "local" should be defined as the surrounding region (or even local communities) rather than as simply national (also see benefit sharing).
Local procurement	A form of benefit sharing that entails the deliberate setting of company policies and enabling strategies to procure goods and services from local suppliers so as to enhance the benefits of the project to the local community.



Table 1. Cont.

Action	Description
Mainstreaming (social/community)	Mainstreaming is a term that potentially can be applied to many concepts (e.g., gender, human rights), but essentially it means fully integrating the issue throughout the company and operations rather than treating it as special or separate. To get a social license to operate, companies should mainstream social issues and community concerns fully throughout their operations.
Mediation	The use of expert mediators, facilitators or neutral parties to reach an agreement (also see alternative dispute resolution).
Mentorship	Establish a program of mentoring (capacity building) local people (also see apprenticeships).
Mitigation	Develop and implement measures to avoid or mitigate the negative impacts of operations.
Monitoring (external)	Implement a community-based monitoring process of social and environmental issues. Being community-based increases the legitimacy of the monitoring process and increases trust in the company, which enhances its social license to operate.
Monitoring (internal)	Monitoring company projects and operations to ensure they are compliant with adopted policies and/or that any commitments made with the community are fulfilled (also see audit, due diligence assessment).
Negotiate	Engaging in direct negotiation with protesters to reach an agreement (also see dialogue table).
Neutral parties	The use of independent experts or organizations who can act as a go-between to assist in communication and mediation between companies and communities (also see mediation).
Open house	An open house (sometimes called an information center or shopfront) refers to any kind of display, setting, or venue where local people can peruse information provided, perhaps discuss things with an attendant (preferably a local employee), and potentially leave their comments (either in writing on paper or via computer) in a visitor's book (i.e., public), in a comments box (i.e., private), as post-it notes, or writing on an "add your comment here" wall. Exhibitions, models, videos, and virtual reality can be used to provide visitors with images of what the project will look like when finished. The open house can be a house or store or it can be a caravan or bus parked where people have ready access, such as in the main street or city square. It could also be a stall at a community market or perhaps just a panel/pin board in a supermarket (also see community engagement).
Participate in industry initiatives	Participate in sector-wide initiatives to improve common practice and/or to develop industry standards (also see industry response).
Philanthropy	Undertaking philanthropic initiatives such as donating funds to the community or to philanthropic organizations (also see social investment, community development fund).
Policy statements	The drafting, approval, and implementation of internal and/or external policies for ensuring compliance with different issues, such as local procurement and human rights, as an attempt to improve the relationship with local communities and avoid protests.
Profit sharing	A form of benefit sharing in which the company allocates a percentage share of the profits from the project to the local community (also see social investment).
Responsible sourcing	Responsible sourcing (or supply chain responsibility) is the commitment by companies to take ESG considerations into account when managing their relationships with suppliers. It entails a range of actions, including having a contracting strategy.
Risk management	Implementing procedures within the company/project to consider all risks fully and the implementation of actions to manage the risks actively. If done well and when social risks are fully considered, this will lead to de-escalation.

Table 1. Cont.

Action	Description
Saying sorry	A formal act of publicly apologizing for wrongs that have been perpetrated, whether by the company or not. It would typically be done verbally in an appropriate setting, but could also be in the form of a formal statement.
Site visits	See fieldtrips.
Skin in the game	Having “skin in the game” is an expression used in business, finance, and politics where it means something like “putting one’s money where one’s mouth is”, in other words, in the context of a social license to operate, the company needs to have real commitment, a vested interest, not only in the project, but also in the community. Companies need to show they are truly invested in the community and that there is an alignment between the local community and their own interests.
Social investment	This refers to project contributions to local development, usually by funding social projects that contribute to local development outcomes (also see community development agreement).
Social license to operate	Commit to going beyond legal compliance and aim to obtain a social license to operate from communities impacted by a company project or operations.
Sponsorships	Establish a scheme to provide support to local associations (also see community development fund, social investment).
Staff resignation	The public resignation of a key staff member as a response to the protest action and as an acknowledgement of misdoing, with the intention of deflecting blame away from the company (also see dismissal of staff).
Staff volunteering	A form of good neighbor scheme in which a company encourages and supports staff to participate in local NGOs and community activities.
Stakeholder engagement/management	Establish a stakeholder engagement plan and a systematic approach for engaging all stakeholders. Use a range of engagement techniques including the use of community consultative committees. (also see community engagement)
Stakeholder panel	See dialogue table and community consultative committee.
Sustainability reporting	The process by which companies understand, communicate, and better manage their non-financial impacts and ESG issues. The Global Reporting Initiative is a standard intended to promote better practice in sustainability reporting. If done properly and not seen as greenwashing, this will lead to de-escalation.
Training (community capacity building)	The provision of training to community members to assist them to develop appropriate skills. Apart from technical training so that local people can get jobs with the project, this could include negotiating skills so that affected people could negotiate more effectively and therefore ensure a win-win-win outcome. In projects entailing the resettlement of people and/or economic displacement, training associated with alternative livelihoods may be necessary.
Training (internal capacity building)	The provision of training to staff about various issues, such as human rights or inter-cultural competencies, in an attempt to improve the relationship with local communities and to address the issues raised in community grievances (also see endomarketing).
Transparency	The company should fully disclose its plans through an effective community engagement strategy (also see justify). Ideally, it should also seek community input. A company policy of transparency would be helpful in being seen to be genuine (also see being genuine, good faith actions).
Webinar	A webinar is an online seminar, typically in the form of a presentation with input (at least Q&A) from participants. Done as an internal activity of staff training, it could create awareness of an issue. Hypothetically, it could also be done with external stakeholders to build reputation (knowing and showing). However, it would not be effective with aggrieved local communities as they would normally expect in-person meetings.

**Table 2.** Company actions likely to lead to escalation of conflict.

Action	Description
Assassination	The killing of protest leaders to silence them and/or as a threat to others and thus discouraging them from further partaking in protest activities (also see intimidation, threats, violence).
Astroturfing	Sometimes erroneously spelt as astrosurfing, this is a form of deceit in which companies forge grassroots support in favor of a particular issue. It is interesting to note that Astroturf was originally a form of artificial grass.
Blacklisting	The act of punishing trade unions, community organizations, local suppliers, and/or individuals by withholding previous entitlements and/or refusing to utilize their services.
Bloody-mindedness	The act of deliberately making it hard or difficult for no good reason. For example, when ordered by a government agency or court to do something, a company might comply with the requirement, but in a way that makes it very hard for the community to achieve what was actually intended (also see gaming the system).
Bluewashing	The use of endorsements or logos from various international institutions (especially United Nations organizations, which use the color blue) to promote an image of adherence to best practice that is not deserved (also see greenwashing, redwashing, misrepresentation).
Bribery	Bribing government officials, protest leaders, and/or the media, for example to suppress or subvert the protests, or in the case of the media, to misreport the issue and/or the number of protesters.
Call in the army	An expression that could literally mean to call in the army, meaning that a military or security presence might be desired by the company to restore peace and calm or to suppress the protest; however, as an ironic or sarcastic response, it can refer to any excessive or over-the-top reaction (also see increase security).
Censorship	Overt attempts to prevent the publication/dissemination of commentary about the project or company. This could be in the form of prohibitions on employees from making public comment, the taking of legal action against anyone making comment perceived as being against the company's interests, getting politicians to enact regulations to prohibit comment on an issue, or bribing the media to suppress comment (also see bribery, strategic lawsuits against public participation (SLAPP)).
Co-opting governments and/or political parties	Donations to political campaigns to win support from politicians so that they act in favor of company interests (also see bribery).
Co-opting local people	Hiring local people in order to silence them and/or to give an impression of caring, but with no real intention to make a fundamental change to operations.
Co-opting media	Buying advertising from key media outlets so that the media becomes dependent on the income from the company and thus reluctant to make critical comment (also see bribery, censorship).
Co-opting researchers	Providing research grants or consultancies to researchers (academics) so that they become silenced by virtue of having a vested interest, a conflict of interest, or because they have signed a confidentiality agreement. Potentially, they might also learn more about the situation and therefore change their perspective.
Counter actions	Comprises a wide range of activities intended to thwart protest actions, including counter ad busting, websites to counter protest websites, counter advertising, etc. Most likely, these actions will be ineffective and, if perceived to be devious, will lead to escalation.
Criminalization	The act of turning an activity (protest) into a criminal offense by making it illegal and/or active persecution (criminal prosecution) of protesters (also see discrediting, SLAPP, threats).
Deception (deceit)	The deliberate intention to deceive, i.e., promising things to regulatory bodies or the affected community with no intention to deliver on them. Deception can take many forms, including deliberate overpromise and the falsification of information.

Table 2. Cont.

Action	Description
Delay tactics	pursue actions that result in delay, for example in the making of payments to the community, or in legal action against the company, potentially dragging it out for years, in order to increase the costs to the party taking action against the company (e.g., affected community, NGO, government) with the expectation that they will withdraw the action and/or until such time as a more favorable outcome to the legal action can be secured.
Dig-in; or dig one's heels in	In this context, this means that the company will not budge, and it will prepare for battle. Instead of responding to community expectations, the company will resist and only do that which it is legally obligated to do (also see bloody-mindedness, stick to the minimum).
Discrediting	The attempt to discredit and de-legitimize a key protester strategically (and thus the protest action) by spreading true or false rumors about them that would harm their reputation.
Dismissal (of staff) (as a negative reaction)	The firing/sacking of staff who support the protest cause (or the threat thereof) (compare with dismissal of staff as a positive reaction; also see enforce loyalty).
Disruption of services	Although normally a protest tactic, companies can also disrupt the services they provide to the community in order to intimidate a local community and/or discredit protestors (also see intimidation, violence).
Diversionary tactics	A wide range of actions intended to divert attention away from the issues of concern to communities (also see counter actions, misrepresentation, smokescreen, trolling).
Divide and conquer	A strategy of negotiating with communities or subgroups within them on a one-by-one basis with the objective or outcome of creating unequal results and/or conflict. While sometimes a deliberate strategy to set one group against another, it can also happen inadvertently, e.g., confidentiality agreements may lead to speculation that other groups have a better deal.
Enforce loyalty	Some companies have strict policies that require employees to conform to the company position (toe the company line) in a bid to discourage internal dissent. While this can be important regarding occupational health and safety matters, as well as the prevention of corruption and respecting local communities, when such enforcement inhibits staff from speaking out about the poor practices of companies, it is likely to lead to the perpetuation of those practices.
Eviction (or threat of eviction)	Eviction or threat of eviction can take several forms, including: evicting protestors from protest camps in the project area; evicting community members from company-provided houses in the project area; and evicting staff from their company-provided housing (e.g., if they have been disloyal to the company) (also see deception).
Exploit loopholes	See gaming the system.
Fake news	The deliberate spreading of misleading information as news in an attempt to influence public opinion. The immediate outcome will depend on how this is perceived in the short term, but it will lead to escalation in the long term, because such actions will lead to the company developing a reputation for being dishonest and not being genuine (also see deception).
False/fake advertising	The deliberate use of false or misleading information in advertising (also see deception).
Falsification	The distortion of data or records (also see deception).
Fronting	A form of deception or misrepresentation (a façade) in which something purports to be other than it really is. For example, sometimes, foreign companies establish local branches in an attempt to masquerade as a local company in order to circumvent local content rules (also see gaming the system).

Table 2. Cont.

Action	Description
Gaming the system	This refers to manipulating the rules of the game. In this context, it refers to the devious actions companies use to find ways around agreements, contracts, legislation, and regulation, e.g., by exploiting loopholes in the precise wording (also see bloody-mindedness).
Greenwashing	The use of propaganda and other promotional activities to create an image of environmental responsibility (green) when it is not deserved (also see misrepresentation).
Ignore	Ignore the issues of protest, whether strategically (on a considered basis) or inadvertently.
Incite violence	A company might decide to act in ways so that the level of violence will increase, prompting the media, government, and/or police/army to take action against the protesters and/or in order to influence public opinion about the company, perhaps as being besieged by a violent mob. Violence can be incited in various ways, including by infiltrating the protest movement, provoking, taunting or baiting the protesters, disruption of services, or creating a counter movement (also see deception, infiltration, misrepresentation, rent-a-crowd).
Increase security	The deployment of additional security forces, stronger fences, dog patrols, etc., in order to secure a particular site (also see call in the army).
Infiltration, espionage, spying	The use of informants or spies or hacking in order to get information for the company and/or to disrupt protest events.
Influence the discourse	Exert pressure (e.g., on the media) so that the reporting of community protests is described in distorted ways, e.g., as radical action, or anti-development action, or as only action of a militant few rather than being widespread (also see co-opting media, misrepresentation).
Intimidation	Any action that seeks to influence the behavior of a person or organization in relation to the protest (also see SLAPP, violence, harassment, and intimidation).
Investor-state dispute	Investor-state disputes are situations where a corporation sues a national government, e.g., for implementing a change in law that would likely affect the profit of the company.
Jurisdiction shopping	The practice of companies searching for and moving to (or at least threatening to) locations where they receive favorable arrangements. Footloose companies who can engage in this practice tend not to have long-term commitment to where they are located, and should local requirements or expectations increase, they simply move to another location.
Legal action	Companies can initiate any of a wide range of possible legal actions, including suing protesters, initiating court action to establish that the protest action is illegal, and enlisting the support of the police to evict or arrest protesters (also see SLAPP).
Lobby	Using political lobbying to influence policy-makers towards the company's interests.
Manipulate public opinion	Manipulating public opinion by commissioning bogus reports, engaging celebrities to speak on behalf of the company (celebrity endorsement), discrediting protesters and/or the protest cause, etc. (also see misrepresentation).
Media stunt	See publicity stunt.
Misrepresentation	the deliberate or perhaps accidental distortion of information in order to create a more favorable image of the company or project (also see deception, falsification, bluewashing, greenwashing, redwashing, manipulate public opinion)
Muckraking	The process of collecting (and potentially creating) information that would be harmful to opponents, in this case the protest leaders (also see smear campaign, trolling).



Table 2. Cont.

Action	Description
Overpromise	The deliberate or accidental overstatement of the benefits the project is likely to bring (also see deception, misrepresentation).
Political maneuvering	The act of deviously influencing the process by exerting undue influence on political leaders.
Redwashing	Similar to greenwashing, but with respect to social and community issues rather than green issues. In other words, the use of promotional activities to promote an image of the company as being socially responsible, when this is not deserved (also see misrepresentation).
Rent-a-crowd	The hiring of people to create a counter protest group, e.g., as a way to demonstrate to politicians, the media, or to local people that there is divided opinion or support for the project in the community (also see counter actions, divide-and-conquer).
Repression	Refers to any heavy-handed action intended to suppress protest, critical comment, or dissent.
Retaliation	Any regressive act in response to community action, including threats, intimidation, and violence. The IFC has a position statement on retaliation against civil society and project stakeholders that prohibits all retaliatory action by its clients.
Shortcutting	Taking shortcuts refers to finding a quicker way to complete an objective, but it also generally means not doing this properly or not fully complying with the expected process.
Silencing opponents	This includes a wide range of actions in the attempt to stifle the public statements of opponents of the company or project, including extreme actions such as assassination, censorship, legal action (including SLAPP), co-opting, intimidation, violence.
SLAPP	A form of intimidation involving the use or threat of “strategic lawsuits against public participation”, i.e., legal action against protest leaders as a way of stopping protest.
Smear campaign	The attempt to discredit a protest cause by deliberately initiating and/or spreading rumors about the campaign and/or its leaders (also see discrediting, trolling).
Smokescreen	A ruse devised to conceal intentions or activities, a diversionary tactic (also see deception, misrepresentation, trolling).
Stack the deck	An expression that, in this context, means to manipulate the appointment of people to a committee, such as a government inquiry or the community consultative committee, in order to ensure an outcome favorable to the company’s position.
Stalling	Any action that enables the company to avoid taking action in response to the reason for the protest (also see delay tactics, turnstile).
Stick to the minimum	A strategy of only doing the legally-prescribed or regulated requirements.
Suspend payments or entitlements	The strategic suspension of financial transfers to affected communities as an attempt to repress protest action.
Threats	Threats of judicial action or other forms of coercion against protest leaders to get them to halt further protest action (also see intimidation, violence).

Table 2. Cont.

Action	Description
Town hall meeting	This refers to any organized public gathering normally intended to involve large numbers of people (although they are frequently poorly attended) and typically held in public buildings (such as the town hall) with authority figures at the head of the room and attendees in theatre-style seating. The intended mode of communication is one-way, top-down information dissemination, moderated by a chairperson, perhaps with a question-and-answer session. Despite being ineffective from a community engagement perspective, they are often used because they are inexpensive and easy to organize. They are undesirable because: they do not enable deliberation; they reinforce existing hierarchies; they favor extroverts and people comfortable with public speaking; in conflict situations or where there is a high level of emotion, they may exacerbate conflict or people's negative feelings; they only enable a small number of people to have a say; people who get to have a say are rarely satisfied that their comments have been acknowledged or valued; people who did not get to have a say are left dissatisfied; and information collected is not useful because it lacks representativeness.
Trolling	Trolling is the online process of creating inflammatory comment, usually with the intention of diverting attention away from one topic towards others (also see diversionary tactics, smokescreen).
Turnstile	A strategy of constantly changing the company's community representative so that chaos and confusion reign and to ensure that negotiations keep going back to square one (also see delay tactics, stalling).
Victim playing	The act of depicting the company as a victim (or the belief that the company is the victim) held hostage to the excessive demands of opportunist communities. This sentiment is often widely held by project staff, alongside the sentiment that a company is "mother", the provider of all things in the community [100]. This strategy will likely lead to escalation, because it will annoy host communities (or at least some people) who regard their demands as legitimate.
Violence, harassment, and intimidation	Initiating a campaign of terror using the military, police, or a private security firm as instruments of terror and oppression. Could potentially include assassination of, or violence against, community leaders, or the threat thereof.
Violent reprisal or repression	The use of police and/or private security forces against protesters in a bid to quell the protest action.

Table 3. Company actions that have an unclear outcome.

Action	Description	Explanation
Advertise	The use of paid advertisements in conventional media (TV, Internet, print media, billboards) or a social media campaign to refute protester claims and accusations, and/or to promote the benefits provided by the project.	The outcome will depend on the content of the advertisements and how this is perceived by local communities. In a conflict situation, advertising will likely lead to escalation.
Advocacy	Publicly support a certain cause in order to win public opinion.	The outcome will depend on the cause in question, how the company frames its message, and whether the company is perceived as genuine by the affected communities.
Audiences	Having audiences with the minister, community leaders, or other public figures (e.g., the Pope) with the intention of influencing a decision or perception, or to gain publicity, or both.	The outcome will depend on the community perception of the public figure and what happens as a result of the meeting. Most likely it will be seen as a hollow gesture or publicity stunt.

Table 3. Cont.

Action	Description	Explanation
Audit	Commission an audit of company activities to establish whether project sites are compliant with company expectations (also see due diligence assessment).	The outcome will depend on how the information gathered is used and whether or not the reports are made public. If nothing is done as a result of the report, there will be escalation.
Awards	The use of new or existing awards/prizes in order to either: (1) gain reputational value and/or to deflect attention away from the negative concerns generated by community protest; or (2) recognize certain particular people in the community and thereby change local social dynamics or public perception of the protest.	The action could lead to escalation or de-escalation depending on how the awards are perceived by local people. If seen as greenwashing, it will contribute to escalation.
Baseline survey	The process of collecting data for a set of selected indicators to track change over time. The baseline data are reference points against which, together with targets and benchmark values, future situations are compared.	How this is perceived will depend on how the information is used, whether there is improvement or worsening over time, whether the appropriate impacts are being measured, and whether the community trusts the monitoring process and data collection.
Benchmarking	Benchmarking is the process of comparing a project or activity with other projects, usually with the intention of learning or improving. It can take place at multiple levels, e.g., at the project level, company level, or at an industry scale.	In general, benchmarking is an appropriate action for companies to take, but if no action is taken to improve performance, this may lead to escalation.
Buying-off key figures	Buying-off refers to making payments (or providing other benefits) to opinion leaders such as prominent businessmen, traditional leaders, or religious leaders in return for their support of the project (also see bribery, co-opting).	The outcome of a buying-off strategy will depend on the community perception of this. If deemed to be corruption, it will result in escalation.
Buying-off the community	The transferring of funds to protesting communities in an attempt to satisfy community demands and compensate impacts (also see benefit sharing, social investment, community development fund, negotiate).	If done cynically with no interest in addressing fundamental issues, there will be escalation. However, negotiating a community development agreement will likely lead to de-escalation.
Celebrity endorsement	The use of celebrities to endorse the project or company.	The outcome of this will depend on the community perception of the celebrity and the message.
Community perception surveys	Companies can pro-actively undertake surveys of community perceptions or concerns or do this in response to community protest (also see baseline survey, benchmarking, monitoring).	Although generally this information is appropriate, if nothing is done with it, there will be escalation. Community support for the survey will be needed.
Compliance Assessment	See audit and due diligence assessment.	The outcome will depend on what follow-up action is taken. Ideally, assessments should be made public.

Table 3. Cont.

Action	Description	Explanation
Confidentiality agreement	Many companies require signed confidentiality agreements from parties they do business with, especially consultants. Companies might also insist on confidentiality agreements with communities following the signing of an impacts and benefits agreement or community development agreement.	While a community might be willing to sign a confidentiality agreement, there is a view that such agreements should be public, e.g., <a href="https://www.pwyp.org/">https://www.pwyp.org/</a> .
Corporate social responsibility	A company can develop, implement, and advertise its corporate social responsibility policy and strategy.	The outcome will depend on the content of the policy, and how effectively it is implemented.
Cutting a deal to avoid prosecution	This involves negotiating with the prosecutor and/or affected parties to secure an arrangement where prosecution of the company is postponed and/or avoided while the company addresses a problem it has caused.	In terms of conflict, the outcome will depend on the deal, how it is perceived by the community, and what else the company does.
Doing deals	The process of negotiating with community leaders or influential persons to win their support. The expression does not intend to infer bribery (illicit cash payments), but to the potential provision by the company of a range of items or actions the community wants or might be of benefit to the community and/or the persons being negotiated with (also see buying-off, community development agreement).	The outcome will depend on how this is perceived by the local community and whether or not the terms of the deal are honored.
Due diligence assessment	In general terms, this refers to conducting an investigation into the likely possible risks of an activity or business partner. In the context of company-community relations (and following the United Nations Guiding Principles on Business and Human Rights [23], it is now expected that corporate headquarters should conduct regular assessments of all their various projects. Due diligence seeks to identify the risks, whereas as an audit is an analysis of performance against a set target (standard or requirement).	Depends on how effectively the assessment is done, whether the assessment has legitimacy, and what is done with the information.
Economic blackmail (or environmental blackmail)	A strategy by which companies exert pressure on a community to accept a project that causes environmental or social harm in exchange for jobs or development opportunities (compare with community development agreement, negotiate).	The outcome will depend on the exact circumstances and extent of benefits to the community, but is likely to lead to escalation in the long term because of the lack of a social license to operate (as implied by the wording “exert pressure” and blackmail).
Educational materials	The development and provision of educational materials for teachers and/or students. Apart from branding opportunities, it is a chance to give the company’s perspective.	Depends on the content and how it is perceived. It may be perceived positively locally, but could lead to international concern.
Endomarketing	A business management concept of internal marketing. The idea behind this concept is to increase the commitment of employees to the company (also see enforce loyalty).	The outcome will depend on the message. However, if intended positively, in conjunction with other positive actions, it will likely lead to de-escalation.

Table 3. Cont.

Action	Description	Explanation
Formal statement	The issuing by the company of an official statement or speech addressing the issues identified by the protesters.	Depends on the nature of the statement and how it is perceived by the protesters.
Funding scientific research	The company/project may attempt to resolve conflict by commissioning or undertaking research into the facts of the situation. When this is a genuine attempt to understand, it may be helpful. However, if done as a devious attempt to buy a particular finding, it will almost certainly fail (also see co-opting researchers).	Unclear; depends on the perceived legitimacy of the research and the independence of the people undertaking the research.
Gift giving	The strategic giving of gifts to appropriate people or organizations in order to win favor (also see buying-off, bribery, co-opting, win favor).	Depends on how it is perceived. If regarded as a bribe, this strategy would backfire. If deemed an appropriate show of respect, it would be beneficial.
Hire consultant	The use of a consultant to consider what to do. Skilled consultants will suggest useful actions, which may or may not be adopted by the company. Sometimes, the use of a consultant is just to solve internal disputes. Sometimes, the hiring of a consultant is publicly announced as a form of publicity stunt (also see establish a commission or taskforce, independent experts).	Depends on the competence of the consultant and how their advice is utilized by the company.
Information materials	The production and dissemination of various informational materials, e.g., flyers, brochures, websites, banners, billboards (also see overpromise, misrepresentation, greenwashing).	Depends on content and context and whether it is a fair representation.
In-reach	The process of communicating with internal stakeholders (also see endomarketing).	Depends on the content.
Marketing	The actions used by a company to create a better public image/reputation (also see advertise).	Depends on how the marketing activities are perceived.
Media briefing	Briefing media outlets to communicate the company's position.	Depends on what the media reports and how that is perceived.
Memes	Although the use of memes is a device used by protesters to mock companies or projects, they can also be used in an attempt to discredit protesters or protest causes.	Unclear, but probably escalation.
Promotional products	The production and distribution of corporate trinkets, minor gifts, and other materials emblazoned with the company logo and/or by-line. These materials can be for use by staff or can be given to community members or participants in company-sponsored workshops, etc. They include things like pens, USB sticks, t-shirts, sweaters, caps, mugs, bumper stickers, badges, backpacks, school uniforms, lunch-boxes, etc.	Likely to cause escalation if the community feels the company is non-genuine.
Provide information	Organizing informational events and/or promotional material to address protesters' claims (also see open house).	Depends on how it is utilized.



Table 3. Cont.

Action	Description	Explanation
Public endorsement	Companies can make a public statement of support of a cause, for example by signing up to an international standard or by aligning with an international or local NGO.	Depends on how it is perceived.
Publicity materials and other corporate publications	The production and distribution (online at least) of information about the company/project and its activities.	Depends on the perceived credibility of the stories.
Publicity stunt	A planned event, usually exaggerated or dishonest, intended to attract media (public) attention to a company, event, or cause.	Likely to lead to perceived negatively.
Reports	Commissioning reports about the issue underlying the protest (with or without dictating the findings).	Depends on the public perception of the underlying research.
Signing up	The public endorsement of an international or national declaration or code of conduct.	Depends on the public perception of the cause in question.
Sloganeering	The use of slogans of various types (e.g., mission statements, by-lines, catchphrases) and in various forms of media to promote awareness of the company's commitment to good practice.	Depends on how perceived by the community.
Social media campaign	The use of social media (Facebook posts, blogging) to express the company's position about a contentious issue and/or engage with protesters.	Depends on the message and how it is perceived.
Surveys	See community perception surveys.	Unclear, depends on what is done with the information collected.
War room	The summoning of all staff related to the issue to discuss strategies and actions to deal with the situation.	Depends on the strategies and actions that are adopted. However, use of the language "war room" is likely to lead to actions that escalate conflict.
Website	Creating a specific website to counter protest claims or to establish dialogue with the affected community.	Depends on how it is used.
Win favor	A range of actions (including gift giving, sponsorship, paying for lunch at community meetings, or restaurant dinners) intended to influence the perception of key opinion leaders (also see buying-off, co-opting).	If excessive, attempts to win favor are likely to lead to a negative outcome, but if modest, it might be regarded as expected or reasonable hospitality. However, beneficiaries of these gestures are likely to have a different opinion to non-beneficiaries.

The actions presented in Table 1 are likely to lead to de-escalation when they are conducted with good intent (i.e., in good faith), with respect and empathy for the local people, and with a strong company commitment to addressing the issues that are of concern to affected communities. If conducted half-heartedly or as greenwashing to improve the company image and reputation in the short-term, then they are unlikely to improve the situation, and may even worsen it. If the relationship with local communities is poor, it is possible that some well-intentioned company actions will be misperceived by local people.

The actions in Table 2 might work in the short term, but are unlikely to be helpful in the long run. There will always be resistance and latent conflict when the concerns of affected communities are not

properly addressed. Even though community protest might be silenced for a short while, communities will organize themselves in different ways and voice their grievances through other forms of protest [1,2]. Adopting strategies and actions that exacerbate conflict is likely to backfire on companies.

## 6. Discussion

As illustrated above, there are around 175 different actions organizations can utilize to deal with community opposition to a particular project. An important issue relates to the organizational culture (or corporate culture) and standard practices in the organization. Many actions that may be standard practice lead to escalation of conflict. Some are Machiavellian or devious; some are not compliant with international standards, violate human rights, and may be illegal; while others can be genuine attempts to improve the situation and address the issues of concern to the affected communities. In the face of protest, too often, companies (and their boards or CEOs) take the advice of their legal and/or security departments, rather than listen to the voice of their social performance or community relations staff [101,102]. Saying sorry, for example, can be very important to express remorse for the past and empathy for affected people. Social staff often think saying sorry would be helpful, but the legal and public relations staff usually advise against it. An example of the power of saying sorry was the formal apology to Indigenous Australians by the Prime Minister of Australia, Kevin Rudd, on 13 February 2008, to say sorry for the Stolen Generation [103]. Companies should also say sorry, but such an act needs to be a genuine commitment done within an adequate timeframe of the event [104]. Against the fear that saying sorry is an acceptance or expression of liability, many countries are introducing legislation to create a safe space for the expression of apology without any implication on legal liability [105].

Violent reprisal and other forms of company reaction that result in escalation might suppress the conflict and be considered as restoring calm, but this is likely to be only temporary. Company reactions deemed to be inappropriate are likely to be documented by local people and/or the NGOs acting in the interests of local communities. Videos may be uploaded to social media platforms, creating serious harm to the company's reputation, with potential consequences to its market value. Thus, solutions that may appear to be costly or time-consuming in the short run might be the best option for all stakeholders in the long run. Yielding to protesters' demands can have costs, but given that the cost associated with community conflict can be extremely high [14], the costs of addressing community and protester concerns are likely to be negligible in the long run. However, simply "throwing money" at an issue without formalizing a culturally-appropriate, well-designed, and implemented social impact management plan and community development agreement negotiated with the affected communities does not mitigate impacts [85,106]. In most cases, this will likely create other short- and long-term impacts [92].

It should be noted that, no matter what companies might say or think, major protest events never just happen without warning; there are always attempts by communities to express their concerns, however subtle they may be. The research into conflict indicates that there are many levels of conflict and that conflict can be latent (underlying or hidden) or active [12,107,108]. Severe protest only happens when other attempts to communicate have not been taken seriously by the company. In that sense, the requirement for all companies to implement a grievance redress mechanism should assist them in listening to communities and in preventing conflict.

## 7. Conclusions: Getting a Social License Requires Taking Community Concerns Seriously

With a wide range of actions possible, it can be complex for a company to consider what it should do in any particular situation. Drawing on a range of sources [5–7,13,20,29,80,85–87,109–112] and reflecting on our own experiences, it is possible to distil the key general principles companies and other organizations should consider in deciding the actions they could use to help them gain a social license to operate and grow. In addition to observing local laws and complying with appropriate international standards, organizations seeking a social license to operate must:

1. Hire sufficient numbers of appropriately qualified and experienced social performance staff who have community relations competencies and are adequately resourced;

2. Implement a meaningful, inclusive, and ongoing stakeholder engagement process from the very beginning of the project;
3. Be fair, act in good faith, and be perceived as being transparent, honest, and genuine;
4. Treat communities with respect and fully respect their human rights;
5. Understand and be respectful of local culture;
6. Provide a valid justification for the project and for all major decisions that affect local communities;
7. Be technically competent, be able to ensure safety and the avoidance of social and environmental harm, and be perceived as such;
8. Deliver benefits to local communities by ensuring there are effective benefit sharing arrangements in place;
9. Endeavour to empower communities by providing training and capacity building, having a local content policy, and by utilizing all opportunities to involve local communities in decision-making;
10. Be part of the community, be vested in the community, and be seen as such;
11. Act with full transparency and accountability by, for example, encouraging and supporting community-led monitoring and evaluation of potential impacts, mitigation measures, and the adequacy of benefit sharing programs;
12. Ensure that the broad community support of local people is gained before proceeding with any project and that this support is maintained throughout the life of the project.

Other, perhaps overly-simplistic ways of saying all this include: “think good, be good, and do good”, “have a good project; implement it well, and do the right thing regarding the local community”, and just simply “be fair”. The intention of doing the right thing needs to be translated into practical action on the ground. Unfortunately, however, there are often problems in implementation. Many implementation problems occur because of inadequate planning and/or the lack of attention given to social issues generally. It is important to appreciate that social risks are real business risks and are threats to the success of the project, which therefore need to be given serious consideration, just as much as engineering and other technical issues. Only when all the social issues are fully considered and local people have good reason to trust the company will communities truly give a project a real social license to operate and grow.

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